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**FACSIMILE COVER SHEET**

**TO:** UNITED STATES PATENT AND TRADEMARK OFFICE  
Examiner Donald Champagne  
Group Art Unit 3622

**FROM:** Matthew J. Evans  
Registration No. 56,530

**RE:** U.S. Patent Application No. 09/845,267  
Our Ref.: 00169.002039

**FAX NO.:** (703)872-9306

**DATE:** February 25, 2005

**NO. OF PAGES:** 3  
(including cover page)

**TIME:** 3:08 p.m.

**SENT BY:** Dawn Mangino

**MESSAGE**

Attachment:

Response To Restriction/Election Requirement (2 pages).

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00169.002039

PATENT APPLICATION

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
TIMOTHY MERRICK LONG ) Examiner: Donald Champagne  
Application No.: 09/845,267 ) Group Art Unit: 3622  
Filed: May 1, 2001 )  
For: INFORMATION APPLIANCE )  
COST SUBSIDY ) February 25, 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION/ELECTION REQUIREMENT

Sir:

In response to the Restriction Requirement dated January 27, 2005,  
Applicant hereby provisionally elects to prosecute the Group I claims, namely Claims 1 to  
6 and 25 to 31. The Restriction Requirement is, however, traversed.

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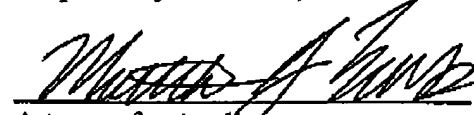
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Traversal is on the ground that there would not be an undue burden in examining two groups of claims in a single application. In particular, MPEP §808 makes clear that in order to require restriction between independent or distinct inventions, reasons for insisting upon a restriction requirement, such as undue burden, must also be shown. In the present instance, it is not believed that there would be an undue burden in examining the claims of Groups I and II (i.e., Claims 1 to 31) in a single application, since the two groups of claims are not so different as would require a burden on the Examiner that is significantly beyond that of the normal burdens of examination.

Accordingly, reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
Attorney for Applicant  
Matthew J. Evans  
Registration No. 56,530

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